



# PROSECUTING ATTORNEY

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Sixth Judicial District

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December 16, 2003

RECEIVED

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

RE: In the Matter of Improving Public Safety Communications in  
the 800 MHz Band; WT Docket No. 02-55 (Ex Parte)

Dear Secretary Dortch:

As the chief law enforcement officer for approximately 500,000 people, I am writing to express my concerns regarding the 'consensus plan.' I believe there are significant shortcomings with this plan and I urge you not to adopt it in its present form. It is critical that all the law enforcement agencies have an effective way to communicate with one another.

\*The plan is too broad. It will force even public safety communications departments which DO NOT have interference problems to 'reband.' This will be quite expensive and disruptive to emergency service providers nationwide. There is no guarantee that Public Safety licensees will be able to continually operate their communications systems during the process. Why not focus resources and disruption in the limited number of area where interference actually occurs?

\*The funding mechanism is much too vague. I am not at all convinced that the \$850 million pledged would be sufficient to implement the proposed plan. In particular, I am concerned that my costs might not be covered.

\*The relocation costs of all of our law enforcement agencies may be expended prospectively, but reimbursed retroactively. This would adversely affect an already tight budget.

*[Signature]*

\*There are no guarantees that my legitimate costs will be reimbursed. I will be forced to pay for the relocation and then request that my costs be considered for reimbursement. What if I am turned down? What if the money runs out? Where are the specific guidelines for which costs will definitely be approved?

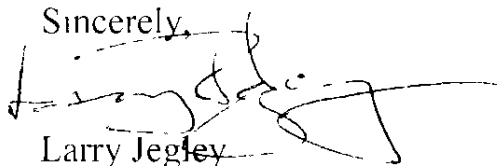
\*Funding for the plan assumes that only 1% of receivers will be replaced. This figure seems low. How was it arrived at; what happens if more replacements are needed?

\*The plan will still require that public safety communications groups adopt best practices and implement technical solutions which would have mitigated much of the interference even without the rebanding. Why are we solving this problem twice?

\*All Public Safety licensees are required to relocate in the same time frame. Given the complexity of some Public Safety systems, I am concerned that this rebanding will lead to communications failures.

All of our law enforcement agencies currently utilize an 800 MHz communications system which is also used by the EMS and our respective municipal Fire Departments. Each of these departments is obviously involved in providing essential services to our citizens. We are certainly not supportive of any change to its current communications system that would affect emergency management and Homeland Security responsibilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Jegley", written over a horizontal line.

Larry Jegley  
Prosecuting Attorney  
Sixth Judicial District